

REASONS FOR ALLOWANCE

1. In response to the RCE filed 8/14/2008. Claims 1 and 8 are amended. Claim 5 is cancelled. **Claims 1-4 and 6-8** remain. Replacement drawings submitted 9/16/2008 are also acknowledged.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Klein on 9/16/2008.

The application has been amended as follows:

Amend the portion of **Claim 1** in the following manner:

A system comprising:

an electromyogram (EMG) system comprising at least one EMG sensor operative to sense electromyographic activity generated in a uterine muscle and output electrical muscular activity signals;

Also, please Cancel **Claim 8**.

3. The following is an examiner's statement of reasons for allowance: the prior art does not disclose alone or in combination an EMG system comprising at least one EMG sensor along with

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at least one position sensor wherein the system indicates the onset of premature birth based on the three-dimensional position of the at least one EMG sensor as sensed by the at least one position sensor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN NGUYEN whose telephone number is (571)272-8340. The examiner can normally be reached on Monday - Friday, 9 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on 571-272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/H. N./

Examiner, Art Unit 3736

/Max Hindenburg/

Supervisory Patent Examiner, Art Unit 3736